

***Belk, Inc. et al. v. Meyer Corporation, U.S., et al.***  
**Case No. 3:07-CV-168**

**UPDATED PLAINTIFFS' TRIAL EXHIBIT LIST<sup>1 2</sup>**

This Updated Plaintiffs' Trial Exhibit List now includes Exhibits 63-77, which were produced by Hy Cite Corporation on May 14, 2010 pursuant to subpoena, and identified at the Hy Cite Deposition taken by Belk on May 15, 2010.

<b>Exh. No.</b>	<b>Description</b>	<b>Stipulation - Authenticity</b>	<b>Stipulation - Admissibility</b>	<b>Objections</b>	<b>Identified By</b>	<b>Admitted</b>
P-1	Biltmore photograph (Facade View)					
P-2	Biltmore photograph (Lagoon View)					
P-3	Biltmore photograph (Main Kitchen)					
P-4	Biltmore photograph (Pastry Kitchen)					

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<sup>1</sup> Plaintiffs expressly reserve the right to supplement and amend this Exhibit List, including demonstrative exhibits. Plaintiffs further reserve the right to use any exhibit listed by Defendants in Defendants' Exhibit List during the trial of this matter.

<sup>2</sup> Plaintiffs further reserve the right to supplement any exhibits subject to motions *in limine* pending ruling on any such motions.

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P-5	Survey to Measure any Likelihood of Confusion Between Biltmore Cookware and Anolon Advanced Cookware by Thomas D. Dupont, Ph.D.					
P-6	Physical Biltmore Cookware and Box (10 piece set)					
P-7	Physical NAPA Style Cookware and Box (10 piece set)					
P-8	Physical Anolon Advanced Cookware and Box (12 piece set)					
P-9	Physical Biltmore Cookware - 1 Quart Saucier					
P-10	Physical Biltmore Cookware - 8" Fry Pan					
P-11	Physical Biltmore Cookware - 10" Fry Pan					

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P-12	Physical Biltmore Cookware - 12" Chicken Fryer with Lid					
P-13	Physical Calphalon Cookware Special Value 2 piece set - 8" and 10" Omelette Pan Combo					
P-14	Physical Kitchen Essentials Cookware from Calphalon - 3 Quart covered Fryer					
P-15	Physical Cuisinart Cookware - Green Gourmet Hard Anodized 12" Skillet					
P-16	Physical Farberware Millenium Cookware - 12" Nonstick Skillet					
P-17	U.S. Design Patent No. D493,061 (Krause Dep. Ex. 17)					
P-18	U.S. Design Patent No. D497,513 (Krause Dep. Ex. 16)					
P-19	U.S. Design Patent No. D505,046 (Krause Dep. Ex. 15)					

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P-20	U.S. Design Patent No. D507,931 (Krause Dep. Ex. 14)					
P-21	Biltmore Sales and Expense Document - August 2006 - December 2008; Projected January 2009 thru March 2009 (BEL 0001187) (Smith Dep. Ex. 2)					
P-22	Biltmore Sales and Expense Document - Vendor Style Selling Total Units through 01/11/2010					
P-23	Letter of April 5, 2007 from Dean L. Krause to Ross Pitts, Esq. of Belk (Belk's Memo to MSJ Ex. 2) (Krause Dep. Ex. 13)					
P-24	Letter of November 16, 2007 from Stephen S. Ashley, Jr., Esq. to Edward J. Naughton, Esq. (Belk's Memo to MSJ Ex. 3)					

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P-25	Letter of December 4, 2007 from Edward J. Naughton, Esq. to Stephen S. Ashley, Jr., Esq.					
P-26	Letter of December 10, 2007 from Stephen S. Ashley, Jr., Esq. to Edward J. Naughton, Esq.					
P-27	Letter of December 28, 2007 from W. Thad Adams, III, Esq. to Edward J. Naughton, Esq.					
P-28	Letter of January 10, 2008 from Edward J. Naughton, Esq. to W. Thad Adams, III, Esq.					
P-29	Letter of January 15, 2008 from W. Thad Adams, III, Esq. to Edward J. Naughton, Esq.					
P-30	Letter of January 29, 2008 from Edward J. Naughton, Esq. to W. Thad Adams, III, Esq.					

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P-31	Letter of February 7, 2008 from W. Thad Adams, III, Esq. to Edward J. Naughton, Esq. with Exhibits					
P-32	E-mail of February 25, 2008 from W. Thad Adams, III, Esq. to Edward J. Naughton, Esq.					
P-33	Letter of March 13, 2008 from Allan J. Sternstein, Esq. to W. Thad Adams, III, Esq.					
P-34	Meyer advertising of Anolon Advanced Cookware (Belk's Memo to MSJ Ex. 6)					
P-35	Meyer's Answers to Belk's Interrogatories of May 28, 2008 (Belk's Memo to MSJ Ex. 10)					

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P-36	Meyer's Answers to Belk's Third Set of Interrogatories of October 29, 2008 (Belk's Memo to MSJ Ex. 11)					
P-37	Meyer's Response to Patent Office Action mailed by the Patent Office on September 5, 2002 (Belk's Memo to MSJ Ex. 12)					
P-38	Meyer Documents showing Brand Awareness/Brand Ownership as relating to recognition (MEYER 001366-001367) (Belk's Memo to MSJ Ex. 13)					
P-39	Pictures of handles of Anolon cookware lines (MEYER 2849) (Belk's Memo to MSJ Ex. 14)					
P-40	Pictures of Anolon cookware showing the "angle" between the side handle and the hook holder is different (Belk's Memo to MSJ Ex. 16)					

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P-41	Pictures showing Anolon cookware silicone handles with different colors (Belk's Memo to MSJ Ex. 17)					
P-42	Pictures showing wide variety of features on various sets of Anolon cookware (MEYER 2962) (Belk's Memo to MSJ Ex. 18)					
P-43	English language Chinese cookware catalogs (Belk's Memo to MSJ Ex. 21)					
P-44	Excerpt of Transcript from Motion to Compel Hearing of January 22, 2009 at p. 60, ll. 11-16 (Belk's Reply to MSJ Ex. 5)					
P-45	US Patent Application Publication No. US 2008/0290104 A1 (Belk's Reply to MSJ Ex. 12)					



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P-46	Gourmet Retailer 2001 Fall Holiday Gift Guide (Krause Dep. Ex. 4) (Cover page and p. 94)					
P-47	Gourmet Retailer 2001 Holiday Gift Guide (Krause Dep. Ex. 3) (Cover page and p. 105)					
P-48	Gourmet Retailer 2001 Holiday Gift Guide Copyright					
P-49	Gourmet Retailer 2001 Fall Holiday Gift Guide Copyright					
P-50	High Beam Article on Anolon Titanium from <u>HFN The Weekly Newspaer for the Home Furnishing Network</u> dated April 23, 2001 (Krause Dep. Ex. 2)					
P-51	NPD Top 25 Retail Sales dated January 12, 2010					

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P-52	Chart summarizing functionality of Meyer's Anolon Advanced Cookware					
P-53	Chart summarizing physical differences between Belk's Biltmore Cookware and Meyer's Anolon Advanced Cookware					
P-54	License Agreement between Biltmore and Belk (Rosebrock Dep. Ex. 4)					
P-55	Napa Style Trademarks					
P-56	Georgia Court Order of July 20, 2007 regarding transfer of Case No. 1:07-CV-894 to the Western District of North Carolina					
P-57	Cookware Study submitted by Nicholas Michael Didow, Ph.D., September 30, 2008					

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P-58	Declaration of University of North Carolina Professor Nicholas M. Didow, Ph.D., January 28, 2009					
P-59	Defendants' Opposition to Plaintiffs' Motion for Leave to Take <i>De Bene Esse</i> Deposition of Hy Cite Corporation and Supporting Brief (Doc. 185, Filed 3/30/10)					
P-60	Hy Cite Corporation's Brief in Opposition to Motion to Compel Attendance at Deposition and Production of Documents Pursuant to Subpoena (Doc. 2, USDC, WDWI, Filed 4/26/10)					
P-61	Defendants' Response to Plaintiffs' Motion to Compel Attendance at Deposition and Production of Documents Pursuant to Subpoena					
P-62	Photo of Royal Prestige cookware (Hy Cite Dep. Ex. 3)					

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P-63	Royal Prestige web page (Hy Cite Dep. Ex. 4)					
P-64	Royal Prestige web page (Hy Cite Dep. Ex. 5)					
P-65	Royal Prestige web page (Hy Cite Dep. Ex. 6)					
P-66	Royal Prestige Distributor web page (Hy Cite Dep. Ex. 11)					
P-67	Royal Prestige Distributor web page (Hy Cite Dep. Ex. 13)					
P-68	Royal Prestige Sales Data (HCC 000122)					
P-69	Meyer/Royal Prestige Purchase and Distribution Agreement (Exhibit C omitted) (HCC 000001 - HCC 000019)					
P-70	Royal Prestige Website Stats (HCC 000123)					
P-71	Royal Prestige Sweepstakes card (HCC 000124 - HCC 000125)					

P-72	Royal Prestige Sweepstakes card (HCC 000126 - HCC 000127)					
P-73	Royal Prestige 2006 Catalog (HCC 000128 - HCC 000141)					
P-74	Royal Prestige 2007 Catalog (HCC 000142 - HCC 000157)					
P-75	Royal Prestige 2008 Catalog (HCC 000158 - HCC 000173)					
P-76	Royal Prestige 2009 Catalog (HCC 000174 - HCC 000191)					
P-77	Royal Prestige 2010 Catalog (HCC) 000192 - HCC 000207)					